

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figures 1 and 3.

Attachment: Replacement sheet

REMARKS

The drawings have been objected to in the Office Action. The drawings (Figs. 1 and 3) have been amended accordingly. No new matter has been added.

Claims 2-4 have been rejected under 35 USC 112, second paragraph. Claims 2-4 have been amended accordingly.

Claim 1 has been rejected under 35 USC 103(a) as unpatentable over Tokuda. The rejection is respectfully traversed.

The present invention relates to detection of an object in a door opening of a motor vehicle. When the door is closed, an *updated* value is determined after startup. Hence, it when subsequently closing the door, it is possible to more accurately detect objects in the door opening, without having to set the value as a constant value.

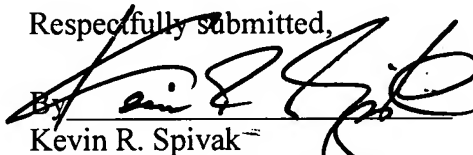
Tokuda discloses a device for the detection of an object in a door. However, the value that is used to determine whether the door is properly closed is not updated at startup. As the Examiner accurately states, Tokuda fails to teach or suggest "an updated set-point value is determined when the door is closed and after the vehicle drives off." The Examiner also notes that it would have been obvious to the skilled artisan to derive a new or updated set point to insure the reliability of the system since the drive current of the motor returns to a normal operating level in Tokuda. Applicant's respectfully disagree. Rather, Applicant's submit that Tokuda returns to a *normal* operating level, not an *updated* value which is the basis for improved detection with each use of the door. Additionally, the Examiner fails to provide a reference supporting his/her reasons for motivation to modify the reference. The Examiner simply makes a conclusory statement of obviousness without any evidentiary support on the record. Hence, Applicant's request that the Examiner either cite a reference in support of his/her reasons for modification, or withdraw the rejection or record.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. **449122069400**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 6, 2006

Respectfully submitted,

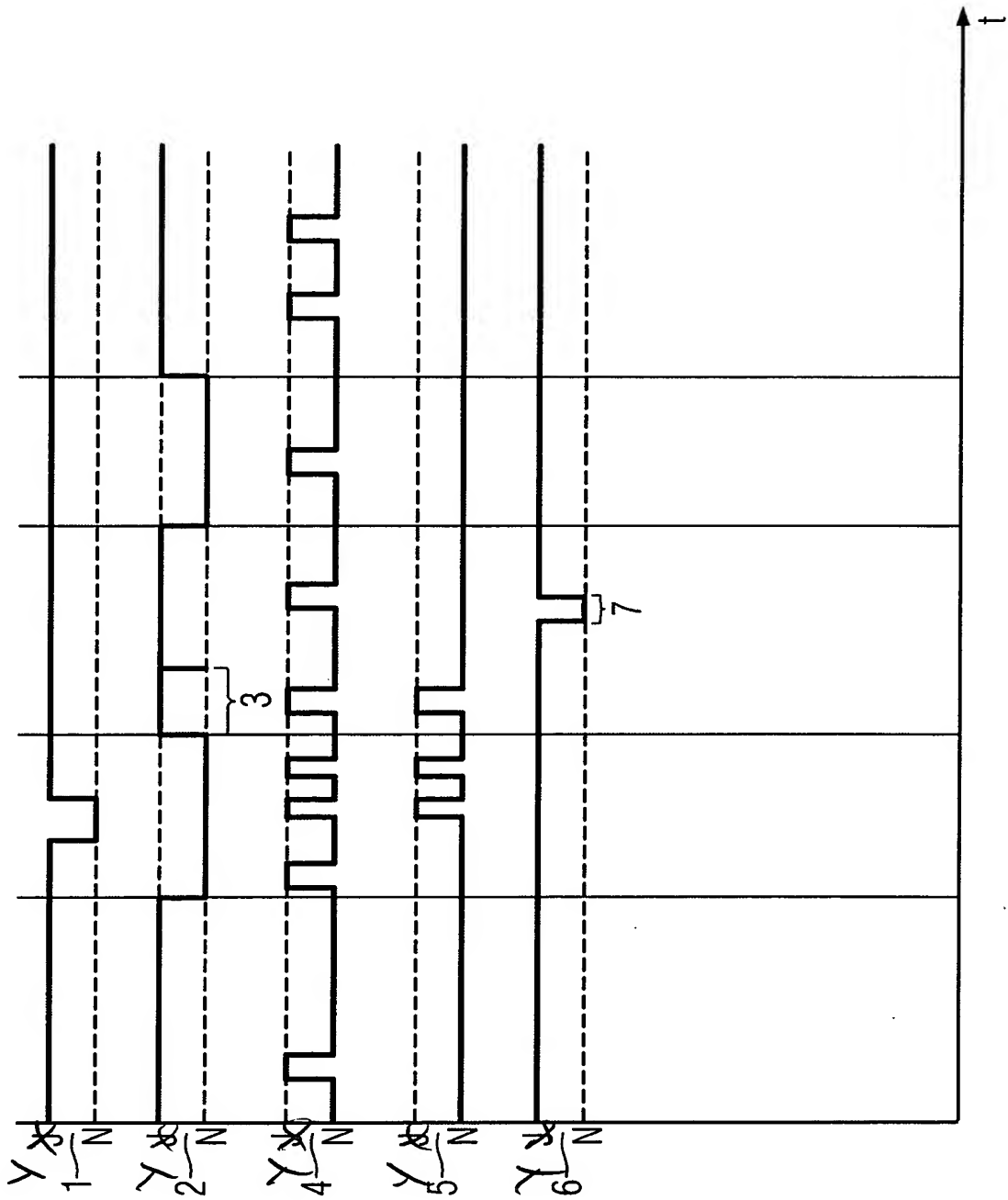

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Attachments

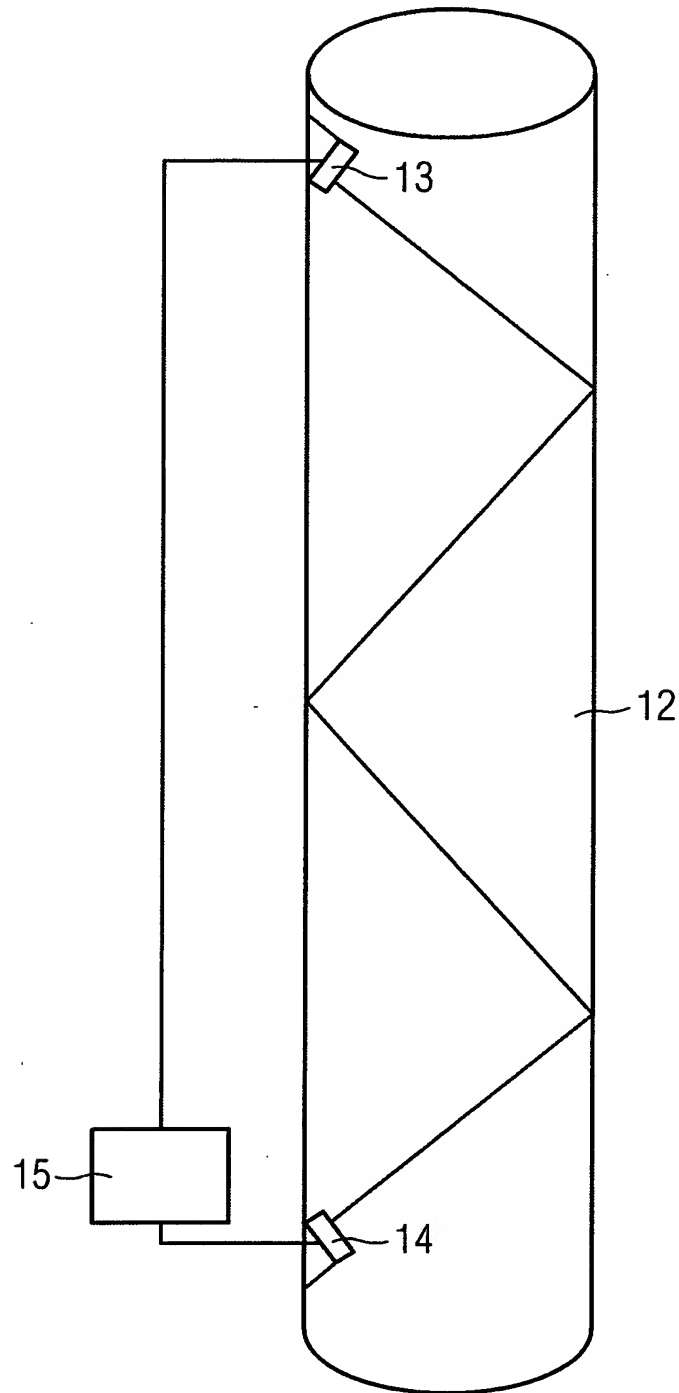


FIG 1



ANNOTATED

FIG 3



TOP VIEW

Annex A169